

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13817 of William L. Quinn, Jr., et al., pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the lot occupancy requirements (Sub-section 3303.1) to permit the construction of two proposed accessory garages in an R-2 District at the premises 3516 - 30th Street, N.W., (Square 2067, Lot 23) and 3518 - 30th Street, N.W., (Square 2067, Lot 22).

HEARING DATE: September 15, 1982
DECISION DATE: October 6, 1982

FINDINGS OF FACT:

1. The subject properties are located on the west side of 30th Street between Ordway and Porter Streets, N.W. at premises known respectively as 3516 (Lot 23) and 3518 (Lot 22) 30th Street, N.W. They are located in an R-2 District.
2. The subject properties are contiguous, with Lot 22 north of Lot 23. Each lot is rectangular in shape measuring twenty-five feet wide by 135 feet deep.
3. Each lot is improved with a semi-detached dwelling built in 1926 and occupied as a residence. Both structures share a party wall. The rear yard of each lot is occupied by a garage also sharing a party wall. The lots are generally flat in topography except that a low retaining wall provides for an increase in elevation generally along the southern property line of Lot 23.
4. To the north of the subject lots are a single family detached dwelling followed by a fifteen foot public alley providing access to 30th Street. To the east is 30th Street with detached and semi-detached dwellings fronting along the east side of 30th Street. To the south are two semi-detached dwellings with a common party wall followed by a fifteen foot public alley providing access to 30th Street. To the west is a fifteen foot public alley followed by parking garages and a heavily wooded area which constitutes the rear yards of semi-detached dwellings which front on Ordway and Porter Streets.
5. The subject property is located in an extensive area of R-2 zoning with residential properties developed as detached, semi-detached and row dwellings. Connecticut

Avenue is approximately one block east with C-2-A zoning south of Porter Street along Connecticut Avenue and R-5-C zoning north of Porter Street along Connecticut Avenue.

6. The applicants propose to raze the existing garages and to construct new one-story, two-car garages which will share the same party wall and extend the full width of each lot. A portion of the retaining wall on Lot 23 will be removed to allow the new garage to be constructed to the southern lot line. Electronically controlled garage doors will be installed. The new garages will measure twenty-five by twenty-two feet and will provide access to the rear yards.

7. The applicant testified that the existing garages are in disrepair and will only adequately accommodate a compact car. The garage on Lot 22 does not have access directly into the rear yard. The garages will be set back from the rear lot line approximately 4.5 feet.

8. The applicant stated that parking on 30th Street has become a problem in recent years. Single-family homes in the neighborhood were renting space in their homes bringing additional persons and automobiles into the community. Little if any on-street parking is available. On-street parking is further complicated by commuters who park on residential streets and then use public transportation along Connecticut Avenue.

9. One applicant testified that security is a problem in that thefts have occurred in his rear yard and prowlers have been seen on neighboring properties. The construction of the new garages across the entire lot will prevent persons from entering the rear yards. The construction will also provide for the storage of two vehicles on-site.

10. The R-2 District requires a lot area of 3,000 square feet and 3,375 square feet is provided for each lot. A lot width of thirty feet is required and twenty-five feet is provided. A lot occupancy of 1,350 square feet is allowed. With the proposed construction 1,526.62 square feet is to be occupied, requiring a variance of 176.62 square feet or 13.08 percent. A rear yard of twenty feet is required and thirty-nine feet is provided.

11. Connecticut Avenue is a major arterial street and transportation corridor with many bus services. The Cleveland Park Metro Station is located along Connecticut Avenue between Ordway and Porter Streets, N.W.

12. No report was received from Advisory Neighborhood Commission 3C.

13. No one appeared in opposition at the public hearing nor were there letters of record in opposition.

CONCLUSIONS OF LAW AND OPINION:


Based on the foregoing findings of fact and the evidence of record, the Board concludes that the applicants are seeking an area variance the granting of which requires the showing of a practical difficulty inherent in the property itself. The Board concludes that there are practical difficulties unique to the subject properties. The subject structures were built prior to the adoption of the present Zoning Regulations. The width of the existing garages is exceptionally narrow for the size lots on which they are located. The Board concludes that the increase in population and congestion on the streets in the neighborhood has created a need to provide for adequate off-street parking.

The Board further concludes that the requested relief can be granted without causing substantial detriment to the public good. The variance requested is not substantial. It will provide some measure of security and safety to the applicants' property. It will provide additional off-street parking in the neighborhood and lessen congestion on the streets. The proposed garages will not impact adversely upon the adjoining properties since to the south the adjoining lot is elevated above Lot 23 by four to five feet and the adjoining lot north of Lot 22 is a large lot of substantial width at the rear.

The Board is further of the opinion that the relief can be granted without substantially impairing the intent, purpose and integrity of the zone plan. Accordingly it is ORDERED that the application is hereby GRANTED.

VOTE: 3-1 (Walter B. Lewis, Douglas J. Patton and Connie Fortune to GRANT; Charles R. Norris opposed to the motion; William F. McIntosh not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: 

STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: FEB - 4 1983

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS AND INSPECTIONS.

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